

AO 440 (Rev. 02/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
District of Minnesota

RECEIVED
OCT 22 2013
CLERK
U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

Roger Davis,

Plaintiff,

v.

Case No. 0:13-cv-02150-JRT-LIB

Joseph Holsapple, et al.,

Defendant.

SUMMONS IN A CIVIL ACTION

To: Pike Bay Township

A lawsuit has been filed against you.

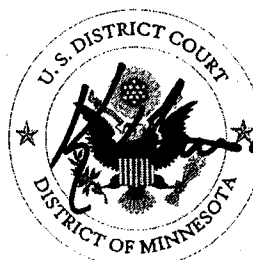
Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Peter J Nickitas
431 S 7th Street, Suite 2446
Minneapolis, MN
55415

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

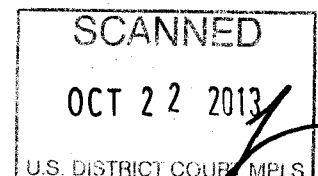
RICHARD D. SLETTEN, CLERK OF COURT

By:



Signature of Clerk or Deputy Clerk

Katie Thompson



Date of Issuance: August 13, 2013

PLAINTIFF

ROGERS K. DAVIS, JR.

COURT CASE NUMBER

13-CV-2150 JRT/LIB

DEFENDANT

JOSEPH HOLSAPPLE, CASS COUNTY, JOSEPH ZEBRO, RKE Bay TWP.

TYPE OF PROCESS

PERSONAL

SERVE

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

COUNTY COMMISSIONER, CASS COUNTY COURTHOUSE, 303 MINNESOTA AVE., WALKER, MN 56484

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

AT

303 MINNESOTA AVE., WALKER, MN 56484

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

PETER J. NICKITAS
PETER J. NICKITAS LAW OFFICE, LLC
431 S. 7TH ST. SUITE 244L
P.O. BOX 15221
MINNEAPOLIS, MN 55415-0221

Number of process to be served with this Form - 285

1

Number of parties to be served in this case

4

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

1ST DIST. COMM'R: NEAL GAALSHYK, 11745 MAPLEWOOD DR EAST, GULL LAKE, MN 56101
2ND DIST. COMM'R: ROBERT KANGAS, 3921 40TH AVE SW, PINE RIVER, MN 56474
3RD DIST. COMM'R: JEFF PETERSON, 2858 32ND AVE NW, HACKENSACK, MN 56452
4TH DIST. COMM'R: JAMES DOWSON, 6325 PINECONE LN NW, WALKER, MN 56484
5TH DIST. COMM'R: DICK DOWNHAM, 7844 24TH AVE NE, BOY RIVER, MN 56672

CHAIR: COMMISSIONERS MEET ON 1ST & 3RD TUES. EA. MONTH AT 9:00 A.M.

Signature of Attorney or other Originator requesting service on behalf of:

Peter J. Nickitas

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

651.238.3445

DATE

29 Aug 13

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.
(Sign only first USM 285 if more than one USM 285 is submitted)

Total Process

1

District of Origin

No. 41

District to Serve

No. 41

Signature of Authorized USMS Deputy or Clerk

[Signature]

Date

9.19.13

I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (if not shown above)

CASS CO. COUNTY ADMINISTRATOR ROBERT YOCHUM

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

CASS CO. COURTHOUSE
303 MINNESOTA AVE., W.
WALKER, MN 56484

Date of Service

09/30/2013

Time

1:15 pm

Signature of U.S. Marshal or Deputy

[Signature]

Service Fee

Total Mileage Charges (including endeavors)

Forwarding Fee

Total Charges

Advance Deposits

Amount owed to U.S. Marshal or

Amount of Refund

REMARKS:

09/30/2013 SEE 12-CV-2150 "JOSEPH HOLSAPPLE" FOR TOTAL DUSM HOURS
R/T MILEAGE, TOL

See fees on

PLAINTIFF	ROGERS K. DAVIS, JR	COURT CASE NUMBER	13-CV-2150 JRT/LIB
DEFENDANT	JOSEPH HOLSAPPLE, CASS COUNTY, JOSEPH ZEBRO, PIKE BAY TWP.	TYPE OF PROCESS	PERSONAL
SERVE	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN		
AT	PIKE BAY TWP. CLERK		
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)		
	1551A ST. 371 N.W., P.O. BOX 1355, CASS LAKE, MN 56633 218 335.2471		

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form - 285	1
PETER J. NICKITAS PETER J. NICKITAS LAW OFFICE, LLC 431 S. 7TH ST., SUITE 2446 P.O. BOX 15221 MINNEAPOLIS, MN 55415-0221	Number of parties to be served in this case	4
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold
PIKE BAY TWP. MEETINGS ARE HELD MONTHLY ON 2ND TUESDAY OF EACH MONTH AT 7:00 P.M. SUPERVISOR 1 IS LARRY GLASS, 6360 US 2 NW, CASS LAKE MN 56633, 218.335.8412, SUPERVISOR 2 IS LINDA BARNES, 14862 73RD AVE NW, CASS LAKE, MN 56633, 218.335.8932, SUPERVISOR CHAIR IS STEPHANIE LUETH, 14984 STATE 371 NW, CASS LAKE, MN 56633, 218.335.2467. SERVE ANY SUPERVISOR - TRY CHAIR 1ST.

Signature of Attorney or other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
Peter J. Nickitas		651.238.3445	8/29/13

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
	1	No. 41	No. 41	[Signature]	9.19.13

I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.	
PIKE BAY TOWNSHIP SUPERVISORY CLERK LARRY D. GLASS		
Address (complete only if different than shown above)	Date of Service	Time
RESIDENCE CASS LAKE, MN	09/30/2013	11:00 am
	Signature of U.S. Marshal or Deputy	
	[Signature]	

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund

REMARKS:
09/30/2013 SEE 12-CV-2150 "JOSEPH HOLSAPPLE FOR TOTAL USM HOURS & R/T MILEAGE. TBL
See fees on Joseph Holsapple's 285.

PLAINTIFF	ROGERS K. DAVIS, JR.	COURT CASE NUMBER	13 - CV - 2150 JRT/LIB
DEFENDANT	JOSEPH HOLSAPPLE, JOSEPH ZEBRO, CASS COUNTY SHERIFF TWP	TYPE OF PROCESS	PERSONAL
SERVE	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN		
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)		
	JOSEPH HOLSAPPLE % CASS COUNTY SHERIFF'S OFFICE, 303 MINNESOTA AVE., WALKER, MN 56484		

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

PETER J. NICKITAS
PETER J. NICKITAS LAW OFFICE, LLC
431 S. 7TH ST. SUITE 2406
P.O. BOX 15221
MINNEAPOLIS, MN 55415-0221

Number of process to be served with this Form - 285

1

Number of parties to be served in this case

4

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold
CLERK OF COURT HAS ISSUED SUMMONS.
COURT HAS GRANTED IFP STATUS TO PLAINTIFF.
HOME ADDRESS IS LONG BOW TRAIL NW, WALKER, MN 56484

Fold

Signature of Attorney or other Originator requesting service on behalf of:

Peter J. Nickitas

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

651-238-3445

DATE

29 AUG 13

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 41	District to Serve No. 41	Signature of Authorized USMS Deputy or Clerk [Signature]	Date 9-19-13
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I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

RESIDENCE
LAPORTE, MN

Date of Service

09/30/2013 12:35 pm

Signature of U.S. Marshal or Deputy

[Signature]

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or Deputy	Amount of Refund
550	164.50	8	727.50	8	727.50	8

REMARKS:

09/30/2013 TOTAL DISTANCE 10.0 HRS, / TOTAL RT MILEAGE 300 MILES TOL

PLAINTIFF

ROGERS K. DAVIS, JR.

COURT CASE NUMBER

13-CV-2150 JRT/LIB

DEFENDANT

JOSEPH HOLSAPPLE, CASS COUNTY, JOSEPH ZEBRO, TWP. RKE Bay

TYPE OF PROCESS

PERSONAL

SERVE

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

JOSEPH L. ZEBRO (AGE 30, B. 1982)

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

AT

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

PETER J. NICKITAS
PETER J. NICKITAS LAW OFFICE, LLC
431 S. 7TH ST., SUITE 244L
P.O. BOX 15221
MINNEAPOLIS, MN 55415-0221

Number of process to be served with this Form - 285

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Number of parties to be served in this case

4

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold ALTERNATE ADDRESSES FOR MR ZEBRO, WHOSE P.O. S.T. LICENSE EXPIRED IN 2012: 5766 LAKE AVE S., TOWER, MN 55790. 905 13TH ST. S., VIRGINIA, MN 55792; ADDRESS IN SOLWAY, MN AS LAST KNOWN TO P.O. S.T. BOARD

Signature of Attorney or other Originator requesting service on behalf of:

Peter J. Nickitas

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

651.238.3445

DATE

8/29/13

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Total Process

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District of Origin

No. 41

District to Serve

No. 41

Signature of Authorized USMS Deputy or Clerk

[Signature]

Date

9.19.13

I hereby certify and return that ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

1

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

TARGET PARKING LOT
BEMIDJI, MN

Date of Service

10/02/2013

Time

11:45 am

Signature of U.S. Marshal or Deputy

[Signature]

Service Fee

385

Total Mileage Charges (including endeavors)

169.50

Forwarding Fee

8

Total Charges

562.80

Advance Deposits

—

Amount owed to U.S. Marshal or

562.80

Amount of Refund

—

REMARKS:

10/02/2013 TOTAL BUSM HOURS 7.0 HRS./TOTAL R/T MILEAGE 300 MILES